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ASD(ISA)

## Department of Defense Directive

SUBJECT: Conduct of Operations in Antarctica

Reference: (a) DoD Directive 2000.6, "Conduct of Operations in Antarctica," October 16, 1961 (hereby canceled)

A. REISSUANCE AND PURPOSE

This Directive reissues reference (a) and notifies the Department of Defense that the terms of the Antarctic Treaty, which was signed by the United States and 11 other nations on December 1, 1959, and became effective on June 23, 1961, are to be complied with by all affected DoD Components.

B. APPLICABILITY

The provisions of this Directive apply to the Office of the Secretary of Defense, the Military Departments, the Organization of the Joint Chiefs of Staff, the Unified and Specified Commands, and the Defense Agencies (hereafter called "DoD Components").

C. BACKGROUND

1. The Antarctic Treaty contains provisions of direct operating concern to the Department of Defense.

a. The provisions of the Treaty apply to the area south of 60° South Latitude, including all ice shelves, although nothing in the Treaty is to prejudice or affect the rights, or the exercise of the rights, of any state under international law with regard to the high seas within that area (Article VI, enclosure 1).

b. The Treaty provides that Antarctica shall be used for peaceful purposes only (Article I) and, to this end, contains provision for an unprecedented system of inspection including complete freedom of access at any time to any or all areas of Antarctica by designated observers (Article VII, enclosure 1).

c. The Treaty prohibits nuclear explosions and the disposal of radioactive waste material in the Antarctic area (Article V, enclosure 1).

2. Sections of the Treaty that contain provisions of direct operating concern to the Department of Defense or its Components are extracted in full in the enclosure to this Directive.

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#### D. POLICY

The terms of the Antarctic Treaty shall be observed by all DoD Components involved in planning for, conducting, or participating in operations in the Antarctic area, as defined in the Treaty.

#### E. IMPLEMENTATION

1. Directives, regulations, or instructions heretofore promulgated by any DoD Component that might inhibit full compliance with the provisions of the Treaty shall be appropriately modified. In this connection, specific attention is invited to the requirement for foreign access for inspection purposes to all land areas and ice shelves in Antarctica, to include all stations, installations, and equipment, and to all ships and aircraft at points of discharging or embarking cargoes or personnel (Article VII, enclosure 1).

2. Any problems of interpretation of the Treaty that may arise in connection with implementation of this Directive shall be referred through channels to the Office of the Secretary of Defense in order that the Department of State may be consulted.

*W. Graham Claytor, Jr.*

W. Graham Claytor, Jr.  
Deputy Secretary of Defense

Enclosure - 1  
Extracts

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EXTRACTS

Of Provisions of the Antarctic Treaty of Direct Operational  
Concern to the Department of Defense

Article I

1. Antarctica shall be used for peaceful purposes only. There shall be prohibited, inter alia, any measures of a military nature, such as the establishment of military bases and fortifications, the carrying out of military maneuvers, as well as the testing of any type of weapons.

2. The present Treaty shall not prevent the use of military personnel or equipment for scientific research or for any other peaceful purpose.

Article III

1. In order to promote international cooperation in scientific investigation in Antarctica, as provided in Article II of the present Treaty, the Contracting Parties agree that, to the greatest extent feasible and practicable:

(a) information regarding plans for scientific programs in Antarctica shall be exchanged to permit maximum economy and efficiency of operations;

(b) scientific personnel shall be exchanged in Antarctica between expeditions and stations;

(c) scientific observations and results from Antarctica shall be exchanged and made freely available.

2. In implementing this Article, every encouragement shall be given to the establishment of cooperative working relations with those Specialized Agencies of the United Nations and other international organizations having a scientific or technical interest in Antarctica.

Article V

1. Any nuclear explosions in Antarctica and the disposal there of radioactive waste material shall be prohibited.

2. In the event of the conclusion of international agreements concerning the use of nuclear energy, including nuclear explosions and the disposal of radioactive waste material, to which all of the Contracting Parties whose representatives are entitled to participate in the meetings provided for under Article IX are parties, the rules established under such agreements shall apply in Antarctica.

## Article VI

The provisions of the present Treaty shall apply to the area south of 60° South Latitude, including all ice shelves, but nothing in the present Treaty shall prejudice or in any way affect the rights, or the exercise of the rights, of any State under international law with regard to the high seas within that area.

## Article VII

1. In order to promote the objectives and ensure the observance of the provisions of the present Treaty, each Contracting Party . . . shall have the right to designate observers to carry out any inspection provided for by the present Article. Observers shall be nationals of the Contracting Parties which designate them. The names of observers shall be communicated to every other Contracting Party having the right to designate observers, and like notice shall be given of the termination of their appointment.

2. Each observer designated in accordance with the provisions of paragraph 1 of this Article shall have complete freedom of access at any time to all areas of Antarctica.

3. All areas of Antarctica, including all stations, installations and equipment within those areas, and all ships and aircraft at points of discharging or embarking cargoes or personnel in Antarctica shall be open at all times to inspection by any observers designated in accordance with paragraph 1 of this Article.

4. Aerial observation may be carried out at any time over any or all areas of Antarctica by any of the Contracting Parties having the right to designate observers.

5. Each Contracting Party shall, at the time when the present Treaty enters into force for it, inform the other Contracting Parties, and thereafter shall give them notice in advance, of

(a) all expeditions to and within Antarctica, on the part of its ships or nationals and all expeditions to Antarctica organized in or proceeding from its territory.

(b) all stations in Antarctica occupied by its nationals; and

(c) any military personnel or equipment intended to be introduced by it into Antarctica subject to the conditions prescribed in paragraph 2 of Article 1 of the present Treaty.

Article VIII

1. In order to facilitate the exercise of their functions under the present Treaty, and without prejudice to the respective positions of the Contracting Parties relating to jurisdiction over all other persons in Antarctica, observers designated under paragraph 1 of Article VII and scientific personnel exchanged under subparagraph 1(b) of Article III of the Treaty, and members of the staffs accompanying any such persons, shall be subject only to the jurisdiction of the Contracting Party of which they are nationals in respect of all acts or omissions occurring while they are in Antarctica for the purpose of exercising their functions.

SIGNATORY NATIONS

Argentina, Australia, Belgium, Chile, France, Japan, New Zealand, Norway, Union of South Africa, Union of Soviet Socialist Republics, United Kingdom, United States of America.